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JUL 09 2004

Application No. 10/078,240  
Docket No. 740756-2438

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Shunpei YAMAZAKI et al.

Serial No. 10/078,240

Filed: February 20, 2002

For: METHOD OF MANUFACTURING A  
SEMICONDUCTOR DEVICE

Examiner: Granvill D. Lee

Group Art Unit: 2825

Confirmation No.: 3255

**PETITION FOR WITHDRAWAL FROM ISSUE  
TO PERMIT CONSIDERATION OF INFORMATION  
DISCLOSURE STATEMENT UNDER  
SECTION 1.97 IN A CONTINUING APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition for the withdrawal of this application from issue. The issue fee for this case was paid on June 24, 2004.

The reason for withdrawal from issue of this application is for consideration of information in a continuing application. The continuing application is filed as a Request for Continued Examination (RCE). The RCE, which is entitled to priority under 35 U.S.C. 120 from this application, is being filed on the same date as this petition and accompanies this petition.


The petition fee of \$130 under 37 C.F.R. 1.17(i) is enclosed. The Commissioner is authorized to charge the Petition Fee of \$130.00 or any deficiencies (except the issue fee) or credit any overpayment to Deposit Account No. 19-2380 (740756-2438). A duplicate copy of this sheet is attached.

Respectfully submitted,

07/15/2004 AKELLEY 00000014 192380 10078240

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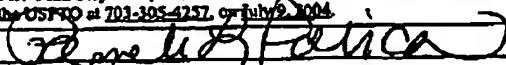
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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 133, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	10/078,240
	Filing Date	February 20, 2002
	First Named Inventor	Shunpei YAMAZAKI et al.
	Group Art Unit	2825
	Examiner Name	Granville D. Lee
	Attorney Docket Number	740756-2438

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14863 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
  - a. ☐ Previously submitted
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☐ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☒ Information Disclosure Statement (IDS)
    - iv. ☐ Submission of Formal Drawings
    - v. ☒ Petition for Withdrawal from Issue
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, additional fees which may be required, or credit any overpayments, to Deposit Account No. 19-2380
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☒ Other Petition Fees
  - b. ☒ The Director is authorized to charge Deposit Account # 19-2380 in the amount of \$900.00
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Jeffrey A. Costello	Registration No. (Attorney/Agent)	35,483
Signature		Date	July 9, 2004
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at 703-305-4257, on July 9, 2004.			
Signature:			
Name:	Pamela L. Patrick		

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